

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Peter G. Sheridan  
 : Crim. No. 10-41  
 v. :  
 : CONTINUANCE ORDER  
 FRANCO DELGADO :

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Christine Magdo, Assistant U.S. Attorney), and defendant Franco Delgado (by E. Alexander Jardines, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has a right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to an additional continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Linda Foster, Assistant Federal Public Defender, who was Mr. Delgado's original counsel, filed pre-trial motions on behalf of Mr. Delgado on April 27, 2010. The Government filed its opposition to the pre-trial motions on May 11, 2010. On May 13, 2010, a privately-retained attorney, Alan Seidler, Esq.,

filed a notice of appearance on behalf of Mr. Delgado. On May 24, 2010, Mr. Seidler filed a letter to the Court, dated May 19, 2010, stating that he was withdrawing from his representation of Mr. Delgado. On June 1, 2010, another privately-retained attorney, E. Alexander Jardines, Esq., filed a Substitution of Attorney form with the Court. As a result of Mr. Delgado's changes of counsel, argument on his pretrial motions has not yet been heard by the Court, and the motions are still pending. Additional time is necessary in order for Mr. Jardines to familiarize himself with the case, and if no plea agreement is reached, to prepare for the argument of motions and for trial.

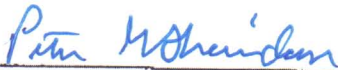
2. The defendant has consented to the aforementioned continuance; and

3. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

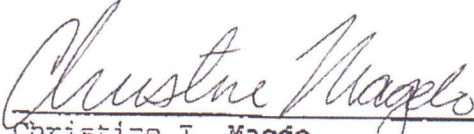
WHEREFORE, on this 2 day of June, 2010,


IT IS ORDERED that the defendant's sur-reply is due on July 1, 2010; motions are returnable on July 8, 2010 at 12:00 p.m.; and the trial is scheduled for July 19, 2010 at 10:00 a.m.; and

IT IS FURTHER ORDERED that the period from June 1, 2010 through July 19, 2010 shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h) (7).

  
HON. PETER G. SHERIDAN  
United States District Judge

Form and entry  
consented to:

  
Christine I. Magdo  
Assistant U.S. Attorney

  
E. Alexander Jardines, Esq.  
Counsel for defendant Franco Delgado